

FILED

AUG 17 2004

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA)

v.)

HORACE MILTON BLACK)

CRIM. NO. 2:04CR169-A

[18 U.S.C. §§ 2, 2113(a),(d) and 924(c)]

INDICTMENT

The Grand Jury charges that:

COUNT 1

On or about the 5th day of August, 2004, in Butler County, within the Middle District of Alabama, the defendant,

HORACE MILTON BLACK,

while aiding and abetting those unknown to the Grand Jury, by force, violence and intimidation did attempt to take from the person and presence of another, currency belonging to and in the care, custody, control, management and possession of the Peoples Bank and Trust, located at 122 Greenville Bypass, Greenville, Alabama, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and in committing such offense, the defendant, did assault and put in jeopardy the life of another person by the use of a dangerous weapon, that is a firearm, in violation of Title 18, United States Code, Sections 2, 2113(a) and 2113(d).

COUNT 2

On or about the 5th day of August, 2004, in Butler County, within the Middle District of Alabama, the defendant,

HORACE MILTON BLACK,

did unlawfully and knowingly use and carry a firearm that is, a Smith and Wesson, Model 669 9mm, handgun, bearing serial number TBA4832, during and in relation to an attempted bank robbery, as charged in Count One herein, a crime of violence, prosecutable in a court of the United States; possess said firearm in furtherance of the commission of said attempted bank robbery; and brandish said firearm; all in violation of Title 18, United States Code, Section 924(c)(1).

A TRUE BILL:

Wijnsehatt
Foreperson

Clark Morris

A. CLARK MORRIS

Assistant United States Attorney